

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A123.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the variances and to ensure additional variances are not required.

Application Details

The applicant requests the Committee allow the construction of a new house proposing:

1. A gross floor area of 664.42sq.m (approx. 7151.76sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 656.72sq.m (approx. 7068.88sq.ft) in this instance;
2. A dwelling depth of 21.63m (approx. 70.96ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A combined width of side yards of 6.16m (approx. 20.21ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.42m (approx. 21.06ft) in this instance;
4. A building height of 9.66m (approx. 31.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 21.17ft) in this instance; and
5. A building height of measured to the eaves of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1530 Indian Grove

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

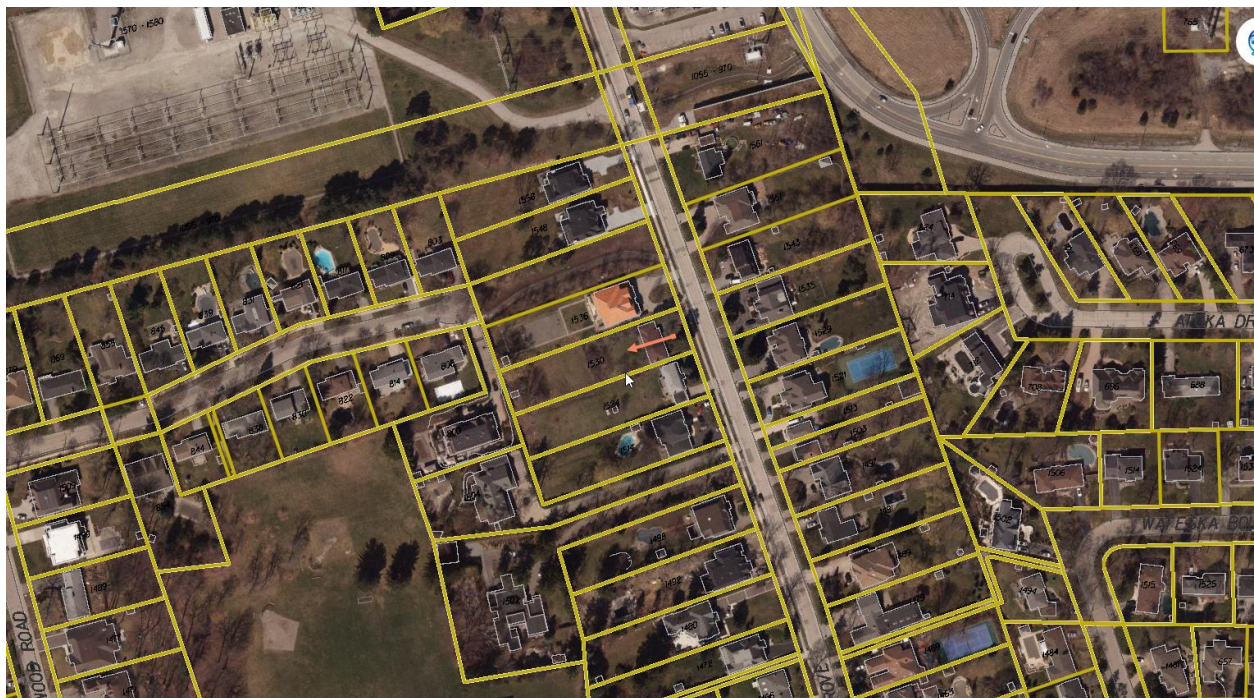
Other Applications

Site Plan Application: 20-143

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Queen Elizabeth Way (QEW) and South Sheridan Way. The immediate neighbourhood is primarily residential, consisting of deep lots with older one storey and newer two storey detached dwellings and mature vegetation. The subject property contains an existing one storey detached dwelling with mature vegetation in the front and rear yard.

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, dwelling depth, combined width of side yards and height measured to the highest ridge and eaves.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The scale of the proposal is also consistent with newer two storey dwellings within the neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1, 4 and 5 propose an increase in gross floor area and height measured to the highest ridge and eaves. The intent of the infill regulations is to maintain compatibility between existing and new dwellings. In this instance, the difference between established grade and average grade is approximately 0.33 m. If the dwelling was measured to established grade, the overall height would be less than the maximum permitted of 9.50 m with the eave height being 6.93 m. Due to the overall height of the dwelling being less than what is permitted from a streetscape perspective, the impact of the increased eave height would be reduced. Furthermore, the proposed dwelling contains architectural features that break up the overall massing of the dwelling in relation to the streetscape and neighbouring properties. This results in the proposed dwelling maintaining compatibility with the surrounding area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a dwelling depth of 21.63 m whereas a maximum of 20 m is permitted. The intent of the by-law is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. In this instance, it is only the portion of the dwelling facing the southern lot line that requires relief of the dwelling depth as the northern portion of the dwelling maintains the maximum depth of 20 m. Furthermore, the rear portion of the proposed dwelling is generally in line with the neighbouring dwelling, lessening the impact on the adjacent neighbour's rear yard. The southerly portion of the dwelling is setback 4.20 m from the lot line, reducing the impact of the building massing to the neighbouring lot. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes a combined side yard width setback of 6.16 m whereas 6.40 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer

exists between the massing of primary structures on adjoining properties. In this instance, the proposed deficiency is due to a projecting bay window on the southerly side of the dwelling. The remaining portion of the dwelling exceeds by-law requirements, maintaining a sufficient buffer to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. From established grade, the dwelling maintains a height less than the maximum permitted height of 9.50 m, which lessens the impact of the increased eave height. Additionally, the proposed dwelling is similar to newer two storey dwellings within the immediate area and does not significantly alter the streetscape character. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the variances and to ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SP-20/143.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-143. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 12/16/2020 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-123/21

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner